

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CT-3201-BO


JAMES C. WILLIS,)
Plaintiff,)
)
v.)
)
DAVID W. KEYS, et al.,)
Defendants.)

ORDER

Plaintiff filed this action on November 4, 2010. After the initial review, the matter was allowed to proceed with the exception of dismissing three named defendants, J. Cournegey, Alvin W. Keller, Jr., and Robert C. Lewis. See 28 U.S.C. § 1915 and order, D.E. # 5. Since filing the action, it appears plaintiff is no longer pursuing or defending litigation of the case. (See docket sheet, No. 5:10-CT-3201-BO, including correspondence). Plaintiff has failed to provide the court with any forwarding address, yet it appears that on September 15, 2011, he was released. See N.C. Dep't of Corr., Offender Pub. Info., <http://webapps6.doc.state.nc.us/opi/viewoffender.do?method=view&offenderID=0446104&searchLastName=willis&searchFirstName=james&searchMiddleName=c&listurl=pagelistoffendersearchresults&listpage=1> (last visited Dec. 22, 2011). The court has no indication that plaintiff seeks to proceed with this action, nor has the court had any further communication from plaintiff since his release. (See docket sheet, No. 5:10-CT-3201-BO, including correspondence). Plaintiff has failed to respond to the motions pending before the court or any notices from the court. On August 19, 2011, the court warned plaintiff that his failure to respond may result in the dismissal of the case. (D.E. # 19). Again, plaintiff did not file any response. (See docket). Additionally, the court notes that mail sent to plaintiff is now being returned as undeliverable. Willis's action is DISMISSED WITHOUT PREJUDICE. Local Civil Rule 83.3, EDNC.

Accordingly, the case is DISMISSED WITHOUT PREJUDICE. All pending motions are thus DENIED as MOOT, and the Clerk is DIRECTED to CLOSE the case.

SO ORDERED, this 22 day of December 2011.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE